

**FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE.
WRIT PETITION NO. 853 OF 2006**

Office Notes, Office Memoranda
orders or directions and
Registrar's orders.

Court's or Judge's
Orders.

Shri R.G.Ketkar for the
petitioner.

CORAM; A.P.DESHPANDE, J.

DTAED: 6TH JULY, 2007.

P.C.

1. The petitioner is father and the respondent is his son. The respondent has instituted a suit for perpetual injunction and valued the suit at Rs.300/- and paid a court fee stamp of Rs.30/-. The petitioner objected to the valuation, by contending that the respondent is infact claiming declaration that he is owner of the property and the property is his self acquired property. No such declaration is sought in the prayer made in the plaint. The suit property is

house property. Infact the petitioner and the respondent are staying together. From the plaint it appears that the respondent is some how trying to protect his possession as he is apprehending forceful dispossession. In my opinion the respondent is only trying to protect his possession. The suit is properly valued. Hence writ petition is summarily dismissed.

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